

Miguel A. Rangel Rosas

From: David Shiller <david@shillers.com>
Sent: Friday, October 14, 2022 5:08 PM
To: Miguel A. Rangel Rosas; luis gerard; Letvia M. Arza-Goderich; Pedro Rivera
Subject: RE: Gerard v. Mad Ruk Entertainment Inc. Case 3:22-cv-01458
Attachments: Excerpt from Rule 16 Ontario Rules of Civil Procedure.docx; 22.10.14 AOS.pdf

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[EXTERNAL E-MAIL]

I attach the affidavit of service in respect of the service of the Complaint on Mad Ruk.

I also attach an excerpt from Rule 16 of the Ontario Rules of Civil Procedure which address service on a corporation.

Service of an originating process (the complaint is an originating process as it originates the proceeding) can be effected either by personal service or an alternative to personal service.

We tried to service either Rey or the other director but their residential addresses on file with the government filing for Mad Ruk are addresses that no longer exists. We tried to serve it personally at Mad Ruk's office listed on the most recent government filing, but their office is no longer there.

So we served by an alternative to personal service by mailing a copy to the corporation at Mad Ruk's last address recorded with the Ministry of Government and Consumer Services.

To foreclose any argument that they did not get the complaint, I also emailed a copy to their Canadian counsel and to Rey Mendoza personally. The lawyer played games with me and said he couldn't accept service and I tried to explain that we were not asking him to but would rely on the email if Mad Ruk ever tried to say it never knew of the Complaint, but he didn't seem to understand. In my view, service was effected properly within Rule 16.03 (6) of the Rules of Civil Procedure.

From: Miguel A. Rangel Rosas <mrangel@mhlex.com>
Sent: October 14, 2022 4:37 PM
To: David Shiller <david@shillers.com>; luis gerard <luisgerard@me.com>; Letvia M. Arza-Goderich <letvia@prestonarza.com>; Pedro Rivera <pjrivera@mhlex.com>
Subject: RE: Gerard v. Mad Ruk Entertainment Inc. Case 3:22-cv-01458

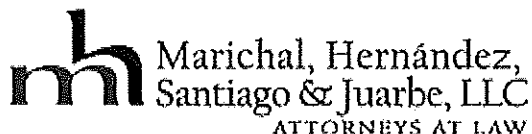
Excellent David thank you.

Kindly provide us with evidence of the mailing of the summons to the last known address, and of Rule 16.03 (6) of the Canada Rule of Civil Procedure, so that we can inform the District court that summons was served on Mad Ruk. Statute of limitations accrue once service of process is completed and, in our jurisdiction, same are enforced.

Regards,

Miguel A. Rangel Rosas

E-Mail: mrangel@mhlex.com | www.mhlex.com **Mail:** PO Box 190095 | San Juan, PR 00919-0095



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From: David Shiller <david@shillers.com>

Sent: Thursday, October 13, 2022 2:33 PM

To: luis gerard <luisgerard@me.com>; Letvia M. Arza-Goderich <letvia@prestonarza.com>; Pedro Rivera <pjrivera@mhlex.com>; Miguel A. Rangel Rosas <mrangel@mhlex.com>

Subject: FW: Gerard v. Mad Ruk Entertainment Inc. Case 3:22-cv-01458

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[EXTERNAL E-MAIL]



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From: David Shiller

Sent: Thursday, October 13, 2022 2:32 PM

To: 'sumit.tangri stlaw.ca' <sumit.tangri@stlaw.ca>; mendoza@madrukent.com

Subject: RE: Gerard v. Mad Ruk Entertainment Inc. Case 3:22-cv-01458

As I stated in my prior email, service has been effected under the Rules by delivering the document by mail to Mad Ruk's last address recorded with the Ministry of Government and Consumer Services in accordance with Rule 16.03 (6). As Mad Ruk is no longer at that address and has not updated its filings with its new address, I have delivered a copy to you and Mr. Mendoza by email so there can be no mistake that the Complaint came to your attention and his. The

complaint could not be served personally on Mad Ruk because its office is not where it has listed with the Ministry nor has Mr. Mendoza updated his personal address with the Ministry. This email and my earlier one today will be relied upon should Mad Ruk attempt to assert that the Complaint did not come to its attention.



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From: sumit.tangri stlaw.ca <sumit.tangri@stlaw.ca>
Sent: Thursday, October 13, 2022 2:20 PM
To: David Shiller <david@shillers.com>; mendoza@madrukent.com
Subject: RE: Gerard v. Mad Ruk Entertainment Inc. Case 3:22-cv-01458

Please note I cannot accept service of your claim in this matter as I have not been retained. You will need to file all necessary service guidelines and Rules.

Please govern yourself accordingly.

Sumit Tangri

From: David Shiller <david@shillers.com>
Sent: October 13, 2022 2:18 PM
To: sumit.tangri stlaw.ca <sumit.tangri@stlaw.ca>; mendoza@madrukent.com
Subject: Gerard v. Mad Ruk Entertainment Inc. Case 3:22-cv-01458

I attach a copy of the Complaint filed in the United States District Court in Puerto Rico (Case 3:22-cv-01458) brought by Mr. Gerard against Mad Ruk Entertainment Inc.

The Complaint has been served upon Mad Ruk by delivering a copy by mail to its last address recorded with the Ministry of Government and Consumer Services in accordance with Rule 16.03 (6). A process server attended the last recorded address at 219 Dufferin Street suite 303b Toronto as well as 439 Wellington Street West suite 202 and was unable to find Mad Ruk or Mr. Mendoza at these addresses.

A copy of the complaint is being provided to you as a courtesy to ensure Mad Ruk is aware of the claim.

Mr. Gerard will rely upon service made in accordance with Rule 16.03 (6) of the Rules of Civil Procedure as well as upon this email to establish for the United States District Court that the complaint was properly served and came to Mad Ruk's attention.



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